



The Maryland
Department of Juvenile Justice

Maryland Standards for Juvenile Detention Facilities

Parts I & II

Every child will become a self-sufficient productive adult.

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Part I:
Vision, Mission and Core Values

Vision

The vision of the Department of Juvenile Justice is that every child will become a self-sufficient, productive adult.

Mission

The Department of Juvenile Justice embraces a balanced and restorative juvenile justice philosophy. DJJ seeks to ensure the public safety and protection of the community, to hold youth offenders accountable to victims and communities, and to develop youth competency and character to assist them in becoming responsible and productive members of society.

Core Values

In carrying out our mission of a balanced and restorative justice system, the Department of Juvenile Justice is committed to continuous quality improvement and managing for results. In their efforts to achieve measurable goals, strategies and performance outcomes, DJJ employees must be prepared for meaningful change. However, our actions must be guided by core values which form the principles and beliefs that enable us to fulfill our mission.

Organizational Focus

The Department of Juvenile Justice operates one integrated system of results-based restorative services delivered in communities and places of residence to meet the specific needs of youth and their families without compromising public safety.

Respect for the Individual

We will conduct our business affairs with full regard and respect for every individual.

Honesty and Integrity

We adhere to the highest standards of ethical behavior.

Our Employees

We recognize that our employees are our most important resource. We are committed to the personal well being and professional development of all employees. We encourage creativity and we reward superior performance.

Responsibility and Accountability

We are responsible for the health, safety, care and humane treatment of all youth under our jurisdiction, and we are accountable to the people of Maryland. Our behavior is guided by standards of conduct supported by appropriate, corrective disciplinary action.

Accessibility

We communicate with the public in an open and truthful manner. We actively seek external opinion and are responsive to requests for information and access to our facilities without compromising lawful confidentiality.

Collaboration

To achieve mutual goals, we actively seek partnerships, wherever appropriate, to help youths and their families.

Part II:

Purposes, Values and Goals of Juvenile Detention Facilities

Detention is the temporary care of youth who, pending court disposition, require secure custody for the protection of themselves or the community in physically restricting facilities. The major goals of a juvenile detention facility are: the protection of the public, the provision of a safe, humane, caring environment, and access to required services for youth. These goals shall be the basis for the standards detailed in this document and shall guide the design, programming, and operation of all detention programs that the Department either administers or purchases.

These standards, however, are not meant to establish or imply a current obligation to conform to particular specifications in juvenile detention, or to suggest that present Maryland Department of Juvenile Justice policies, regulations, or practices are unsatisfactory, illegal, or unconstitutional. Rather, these standards are intended to provide a goal for excellence in juvenile detention which the Department plans to pursue and attain in the near future. It should also be understood that the content of this introduction as well as the material presented in various commentaries found throughout this document are not to be considered as standards, but are simply explanatory in nature.

The administration of juvenile detention in Maryland shall be guided by the following principles:

1. programs shall provide for the degree of control required for public protection, as determined by the court, and a safe, humane, caring environment that will provide for normal growth and development;
2. the liberty of a youth shall be restricted only to the degree necessary;
3. programs shall be characterized by fairness in all procedures and by a careful adherence to legal rights; and
4. the administration of juvenile detention shall be accountable on three levels: to the courts; to the public, through the appropriate legislative body for the implementation of the statutory mandate and expenditure of public funds; and to the youth and their families for the provision of a safe, humane, caring environment and access to required services.

Eligibility for detention should be limited to those youth who need secure confinement to assure their attendance at court hearings or to protect public safety pending adjudication of their case. The period of detention should also be limited to the period needed for adjudication and disposition of the case.

In the determination of whether a youth is placed in a secure detention facility, there shall be a strong presumption in favor of retaining the youth within his or her own home community and against disrupting the youth's cultural and geographical roots. The Department will strive to ensure that the links between the youth and his or her home and community are facilitated and preserved.

In order to reduce the inappropriate placement of youth in a secure facility, the detention screening process shall have two steps:

1. initial application of explicit detention criteria to exclude ineligible cases (for example, very young children, abused or neglected children, and status offenders); and
2. use of an objective, race-neutral and culturally sensitive risk assessment instrument that places youth in an appropriate restrictive level based on their risk of flight or potential danger to the community.

The risk assessment instrument shall conform to state law and court rules and shall prohibit detention for other purposes. The detention risk assessment instrument shall objectify the Department's decision making process with respect to two specific issues: (1) the youth's relative risk to public safety, and (2) the likelihood that a youth will fail to appear in court. The risk assessment instrument shall record and objectively score current and prior offenses, frequency of past offenses, and any history of failure to appear for hearings, runaways, and escapes. Additional variables, such as age of first court involvement, and placement and probation history shall also be included. The risk assessment instrument will also allow for "override" cases, which for case-specific reasons, the Intake Officer may override the instrument by admitting "low-risk" youth into secure detention or by not admitting "higher risk" youth. Such "override" decisions shall be documented and reviewed by a supervisor. In addition, the Department shall not accept for detention youth who are intoxicated, suffer from severe mental illness or emotional problems, or are injured or ill.

Over and above the provision of a safe, humane, caring environment, the Department shall ensure that detained youth have access to those services that are required for their individual needs. The Department shall ensure that detained youth obtain those services that non-adjudicated youth have an obligation to receive. Such services shall be of no less quality than those provided to youth not under detention supervision.

The design and programming of juvenile detention facilities should project an image that causes youth to establish positive group norms characterized by high expectations of themselves and to perceive that others also have high expectations of them. To achieve this goal, normalization and the development of a positive group norm shall be encouraged. The following factors shall be considered in the design, architecture, placement and programming of juvenile detention facilities:

1. the development of individuality and self-respect among youth;
2. respect for the youth's rights to privacy;
3. the development of educational and intellectual abilities;
4. permitting the retention of family, community and other personal ties;
5. allowing for the expression of cultural, religious and ethnic identity;
6. permitting a choice of recreational and artistic activities;
7. ensuring that youth are safe from physical and psychological attack and abuse;
8. the receipt of medical, dental, mental health and substance abuse services; and
9. the freedom to relate and socialize with peers.

The rights and responsibilities of youth under detention supervision shall be based on their unique developmental needs. Youth shall be afforded preventive and restorative mental health, substance abuse, medical and dental care attuned to rapidly developing bodies. Youth shall have access to legal services to ensure a right of access to the courts. The Department shall also provide educational and recreational services that are appropriate to the developmental level of the youth served.

In developing policies and regulations to implement the goals and guidelines set out in these

standards, the Department will, whenever appropriate and possible, seek to incorporate or adopt the requirements contained in the residential child care program regulations adopted jointly by the Department of Juvenile Justice, the Office of Children, Youth and Families, the Department of Health and Mental Hygiene, the Department of Human Resources, and the State Department of Education. To the extent these standards apply to privately operated facilities, the standards shall conform to COMAR 01.04.04, or be issued as amendments to those regulations with the approval of the other issuing agencies. See COMAR 01.04.04.30. To the extent any provision of these standards applies to privately operated facilities and is inconsistent with those regulations, COMAR 01.04.04 should be used and shall prevail.

Additionally, a fundamental strategy of the Department is to create an integrated system of supervision and case management of youth who come to the attention of the Department. The Department's system of restorative justice programs and services will be coordinated and monitored by integrated case management throughout placement and program assignment, community supervision, residential placement, detention, secure confinement and aftercare. Use of integrated case management is the central methodology for a responsive service delivery system. The case management team forms the link between comprehensive assessment and continuous integrated service delivery from detention awaiting adjudication, to placement, residential treatment services, and secure commitment.

Finally, the Department shall annually review these detention standards and any related policies to ensure their conformity with state and federal law, regulation, Departmental policy and practice and the changing needs of the population. Such reviews will result in appropriate modifications, additions or deletions to these standards.